



Order Filed on May 30, 2018
by Clerk
U.S. Bankruptcy Court
District of New Jersey

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

Caption in Compliance with D.N.J. LBR 9004-2(c)

ABELSON & TRUESDALE, LLC

BRUCE C. TRUESDALE, P.C.

147 Union Avenue * Suite 1E

Middlesex, New Jersey 08846-1063

By: Bruce C. Truesdale, Esq. (BT 0928)

(732) 302-9600

Attorney for the Debtor

In Re:

STEVEN JONES

Case No.: 13-30816

Adv. No.:

Hearing Date:

Judge: Kathryn C. Ferguson

**CONSENT ORDER TO RESOLVE MOTION FOR STAY RELIEF AND TO REINSTATE THE
AUTOMATIC STAY AND TO RESERVE DEBTOR'S RIGHT TO OBJECT TO ATTORNEY FEES
BEING CHARGED BACK TO DEBTOR BY MOUNTAINVIEW AT GREENBROOK
CONDOMINIUM ASSOCIATION, INC. AND GRANTING RELATED RELIEF**

The relief set forth on the following pages, number two (2) through two (2), is
hereby **ORDERED**.

DATED: May 30, 2018


Honorable Kathryn C. Ferguson
United States Bankruptcy Judge

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In re: Steve Jones Case No.: 13-30816 KCF

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CONDOMINIUM ASSOCIATION, INC. AND GRANTING RELATED RELIEF**

THIS CASE, having been filed in the District of New Jersey and having been assigned to The Honorable Kathryn C. Ferguson, Trenton Vicinage, and counsel for Mountainview at Greenbrook Homeowner's Association, Inc. (hereinafter "the Association") and counsel for the Debtor Steven Jones having agreed that the Association's Motion for Stay Relief will be resolved and that the Automatic Stay will be reinstated and in addition, the Debtor's right to object to the attorney fees being charged back to debtor by the Association will be reserved and the Court, after reviewing the submissions and record and being advised that this Order is entered into with the consent of the parties, makes the following:

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. This underlying bankruptcy case was commenced by the filing of a petition with the Clerk of this Court on September 24, 2013.
2. The debtor's "common charge" is \$175.00 (it had been \$137.00 and then 162.00).
3. A Certification of Default was filed by the Association on 10/17/17.
4. Attached to the Motion for Relief is a partial copy of debtor's Statement of Account.
5. Included on the Statement of Account are Common Charges, Late Fees, "fines," assessments and legal fee chargebacks totaling \$19,645.28 for the period December 2015 to October 2017.
6. The parties have agreed to resolve the instant Motion and to reinstate the Automatic Stay and the debtor reserves the right to object to and argue other charges contained on the Statement of Account, as necessary, at a later date.
7. It is agreed that the Association and debtor will settle the instant motion for Stay Relief and Reinstate the Automatic Stay by the debtor's immediate tendering of \$5,496.80, representing balance owing, maintenance fees from May 2017 to October 2017, late fees and legal fees related to work performed June 2017 to October 2017. (Monies have been tendered).
8. It is agreed that the debtor reserves the right to object to legal fees charged back, "fines, late charges and assessments" on his Statement of Account.
9. It is agreed that the debtor reserves his right to object to attorney fees charged back to his account by Mountainview At Greenbrook Condominium Association, Inc.

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10. The Debtor will continue to make his post-petition condominium association payments outside the Plan.
11. The parties consent to the entry of this Consent Order and are properly before this Court, and this Court has proper jurisdiction over this proceeding.

**BASED UPON THE FOREGOING FINDINGS OF FACT AND CONCLUSIONS OF LAW, AND
BY AND WITH THE CONSENT OF THE PARTIES, IT IS HEREBY ORDERED, ADJUDGED
AND DECREED AS FOLLOWS:**

1. The Motion for Stay Relief will be settled and the Automatic Stay Reinstated by the debtor's immediate payment of \$5,496.80 to be paid from his Counsel's Trust Account (monies have been tendered).
2. The right of the debtor to object to legal fees charged back, "fines, late charges and assessments on the Statement of Account be and hereby is reserved.
3. The Debtor will continue to make his post-petition condominium association payments outside of the Plan.

WE CONSENT TO THE ENTRY OF THIS ORDER:


Bruce C. Truesdale, Esq.
Attorney for the Debtor

Date: 5/16/18


Marlena Diaz-Corbo, Esq.
Counsel for Mountainview at Greenbrook
Homeowners Association, Inc.

Date: 5/11/18

In re:
Steven Jones
Debtor

Case No. 13-30816-KCF
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 1

Date Rcvd: May 31, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jun 02, 2018.

db +Steven Jones, 1053 Robin Court, Greenbrook, NJ 08812-1738

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jun 02, 2018

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on May 31, 2018 at the address(es) listed below:

Albert Russo docs@russotrustee.com

Albert Russo on behalf of Trustee Albert Russo docs@russotrustee.com

Albert Russo (NA) on behalf of Trustee Albert Russo docs@russotrustee.com

Brian C. Nicholas on behalf of Creditor MIDFIRST BANK bnicholas@kmlawgroup.com,

bkgroup@kmlawgroup.com

Bruce C. Truesdale on behalf of Debtor Steven Jones brucectruesdalepc@gmail.com,

bctpcecf@gmail.com/r49787@notify.bestcase.com

Bruce C. Truesdale on behalf of Creditor Mountainview at Greenbrook Condominium Association,

Inc. brucectruesdalepc@gmail.com, bctpcecf@gmail.com/r49787@notify.bestcase.com

Denise E. Carlon on behalf of Creditor MIDFIRST BANK dcarlon@kmlawgroup.com,

bkgroup@kmlawgroup.com

Denise E. Carlon on behalf of Creditor MidFirst Bank bankruptcynotice@zuckergoldberg.com,

bkgroup@kmlawgroup.com

Elysa D Bergenfeld on behalf of Creditor Mountainview at Greenbrook Condominium Association,

Inc. edb@ansellgrimm.com, rbl@ansellgrimm.com

Joshua I. Goldman on behalf of Creditor MidFirst Bank jgoldman@kmlawgroup.com,

bkgroup@kmlawgroup.com

Marlena Miller on behalf of Creditor Mountainview at Greenbrook Condominium Association,

Inc. mdiaz-Cobo@theassociationlawyers.com

TOTAL: 11